

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

BID FOR POSITION, LLC,

Plaintiff,

v.

Civil Action No. 2:07cv582 (JBF-TEM)

AOL, LLC,
GOOGLE, INC.,
MICROSOFT CORP.,
and MIVA, INC.,

Defendants.

AOL, LLC,
GOOGLE, INC.,
MICROSOFT CORPORATION,
and MIVA, INC.,

Counterclaim Plaintiffs,

v.

BID FOR POSITION, LLC,

Counterclaim Defendant.

MOTION FOR SUBSTITUTION OF COUNSEL

Defendant and Counterclaim Plaintiff, AOL, LLC (“AOL”), by counsel, moves this Court to substitute Stephen E. Noona, Esquire and the law firm of Kaufman & Canoles, P.C., and Charles K. Verhoeven, Esquire, Thomas D. Pease, Esquire, David A. Perlson, Esquire, Emily C. O’Brien, Esquire, Antonio R. Sistos, Esquire, Katherine H. Bennett, Esquire and the law firm of Quinn Emanuel Urquhart Oliver & Hedges, LLP in place of John C. Lynch, Esquire, E. Kyle

McNew, Esquire and the law firm of Troutman Sanders LLP as counsel for AOL in this matter.

In support of its motion, AOL states:

1. AOL has requested and the other parties to this action have agreed that AOL may: (1) substitute Stephen E. Noona, Esquire and the law firm of Kaufman & Canoles, P.C., and Charles K. Verhoeven, Esquire, Thomas D. Pease, Esquire, David A. Perlson, Esquire, Emily C. O'Brien, Esquire, Antonio R. Sistos, Esquire, Katherine H. Bennett, Esquire and the law firm of Quinn Emanuel Urquhart Oliver & Hedges, LLP in place of John C. Lynch, Esquire, E. Kyle McNew, Esquire and the law firm of Troutman Sanders LLP as counsel for AOL in this matter along with AOL's current co-counsel John M. Williamson, Esquire, Robert L. Burns II, Esquire and the law firm of Finnegan Henderson Farabow Garrett & Dunner LLP; and (2) allow John C. Lynch, Esquire, E. Kyle McNew, Esquire and the law firm of Troutman Sanders LLP to withdraw as counsel for AOL in this matter.

2. The substitution and withdrawal of counsel will not alter any deadlines in this case including the trial date.

3. AOL is filing separately along with this motion an endorsed Agreed Order in the form of the proposed order attached as **Exhibit 1** granting the relief sought in this motion.

WHEREFORE, AOL, by counsel, respectfully requests that this Court grant its motion to allow the substitution and withdrawal of counsel in this matter.

Dated: March 25, 2008

Respectfully submitted,

/s/ Stephen E. Noona

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CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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